IN THE HIGH COURT OR UTTARANCHAL AT NAINITAL.

Writ Petition No. 872 (S/S) of 2006

Chandan Singh Latwal,
Headmaster,
Purva Madhyamik Vidyalaya Hali,
Betalghat, Nainital. **……Petitioner**

V e r s u s

1. State of Uttaranchal, through Secretary, Education, Uttaranchal, Dehradun.
2. Uppar Zila Shiksha Adhikari, Basic, Nainital.

…..Respondents

Hon'ble M.M. Ghildiyal, J.

1. Heard Sri V.K. Bisht, Senior Advocate, assisted by Sri Sushil Vashishta, learned counsel for the petitioner and Sri Paresh Tripathi, learned counsel for State of Uttaranchal on behalf of respondents.

2. By means of writ petition, the petitioner has challenged the order dated 12.05.2006 passed by respondent no. 2 (Annexure no. 10 to the writ petition)

3. Vide order dated 12.05.2006 promotion order dated 17.04.2006, by which the petitioner was promoted to the post of Headmaster, has been cancelled and petitioner was directed to remain present in the office of respondent no. 2 on 17.05.2006 along with original documents relating to his educational qualification as well as training certificate.

4. In para 14 of the writ petition petitioner has submitted that he appeared before respondent no. 2 on 17.05.2006 along with his original document as required by

respondent no. 2 Respondent no. 2 asked the petitioner to verify the original documents by the Office assistant, which was done by the petitioner.

5. Learned counsel for the petitioner has submitted that all the documents produced by the petitioner, before respondent no. 2, were verified and petitioner was assured that the order dated 12.05.2006 will be recalled, however, till date the said order has not been recalled.

6. In view of the above, it will be just and proper to direct the respondent no. 2 to take decision on the continuance of the petitioner's promotion, as all the documents, which are required, have been produced by the petitioner before respondent no. 2 and if documents are found correct, respondent no. 2 shall take decision in the matter within a period of two weeks from the date of production of certified copy of this order.

7. With the direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 03, 2006
SKSharma